

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

In re: Darryl L. Smith

Case No. 20-10075

Chapter 13

Debtor(s).

**LOSS MITIGATION AFFIDAVIT OF DEBTOR(S)
AND CERTIFICATE OF SERVICE**

STATE OF NEW YORK) ss.:
COUNTY OF ALBANY)

I, William F. Berglund, being sworn, say: I am not a party to this
action, am over 18 years of age, and reside in East Greenbush, New York.

Instructions:

- (1) Complete, as is appropriate, either Part A: Request for Documents/Information by Debtor(s) or Part B: Debtor(s)' Response to Request for Documents/Information.
- (2) Complete Part C: Loss Mitigation Contact Information, unless the information was provided in the Loss Mitigation Request by Debtor(s) and Certificate of Service.
- (3) Complete Part D: Certificate of Service.

On behalf of Debtor(s):

Part A: Request for Documents/Information by Debtor(s)

On _____, 20____, I served a true and accurate copy of the Debtor(s)' Request for the following documents/information:

- ☐ A copy of Debtor(s)' payment history;
- ☐ Other (please specify): _____

_____.

Part B: Debtor(s)' Response to Request for Documents/Information

On April 2, 2021, I served a true and accurate copy of the Debtor(s)' Response to Creditor's Request for documents/information, including the following:

- ☒ A copy of the Debtor(s)' two (2) most recent federal income tax returns;
- ☒ A copy of the Debtor(s)' last two (2) paycheck stubs, proof of social security income, pensions, or any other income received by the Debtor(s);

Or, if the Debtor(s) is/are self-employed:

A copy of the Debtor(s)' Profit and Loss Statements, setting forth a breakdown of the monthly income and expenses for the Debtor(s)' business (es), for the two (2) most recent months of _____ and _____;

- ☒ A completed copy of the Creditor's Financial Worksheet;
- ☐ Proof of second/third party income by affidavit of the party, including the party's last two (2) paycheck stubs;
- ☒ Other (please specify): Form 4506-C, Form 4506-T, and

Statement of Information

_____.

Part C: Loss Mitigation Contact Information

The Loss Mitigation contact information for the Attorney for the Debtor(s) is as follows:

Name: William F. Berglund
Title: Attorney for debtor
Firm: O'Connell and Aronowitz
Address: 54 State Street
Address 2: _____
City: Albany State: NY Zip Code: 12207
Phone No.: (518) 462-5601 Facsimile No.: (518) 462-2670
Email Address: wberglund@oalaw.com

Part D: Certificate of Service

On April 5, 20 21, I served a true and accurate copy of the above
Loss Mitigation Affidavit by Debtor(s)—

—by notice of electronic filing (NEF) via the CM/ECF system upon the following
parties at the email addresses listed below:

William F. Berglund on behalf of Debtor Darryl L Smith wberglund@oalaw.com, bkcourtdocs@oalaw.com; slustvyk@oalaw.com

Andrea E. Celli-Trustee
Inquiries@ch13albany.com, legal@ch13albany.com

Andrew David Goldberg on behalf of Creditor Wilmington Savings Fund Society, FSB, as trustee of Stanwich Mortgage Loan
Trust A
Andrew@nyfclaw.com

Tracy Schreiber-Banks on behalf of Creditor Wilmington Savings Fund Society, FSB, as trustee of Stanwich Mortgage Loan
Trust A
tracy.banks@roachlin.com, bankruptcy@roachlin.com

Alan Smikun on behalf of Creditor Wilmington Savings Fund Society, FSB, as trustee of Stanwich Mortgage Loan Trust A
alansm@nyfclaw.com

U.S. Trustee
USTPRegion02.AL.ECF@USDOJ.GOV

—by first class mail upon the following parties at the addresses listed below:

(Debtor), Darryl L. Smith, 320 Kinglsey Road, Burnt Hills, NY 12027

Wilmington Savings Fund Society, c/o Carrington Mortgage Services, LLC,
1600 South Douglass Rd, Anaheim, CA 92806


—by certified mail upon the following parties at the addresses listed below:

Dated: April 5, 20 21
Albany, New York


Name

Sworn to before me this

5th day of April, 20 21


Notary Public, State of New York

ANNETTE L. KEECH
Notary Public, State of New York
Qualified in Albany County
No: 01KE5021559
Commission Expires December 20, 2021